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<h1>TRANSMITTAL FORM</h1> <p><i>(to be used for all correspondence after initial filing)</i></p>	Application Number	10/760,445	
	Filing Date	January 20, 2004	
	First Named Inventor	Brockman	
	Art Unit	3671	
	Examiner Name	Petravick	
Total Number of Pages in This Submission		Attorney Docket Number	DB-101US

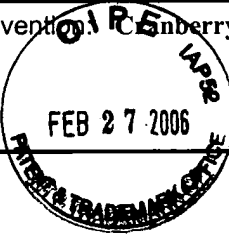
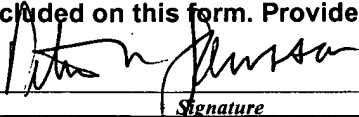
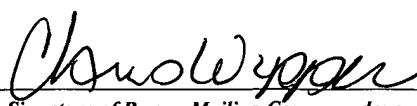
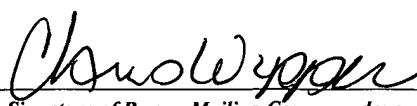
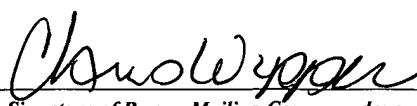
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Jansson, Shupe, Munger & Antaramian, Ltd.		
Signature			
Printed name	Peter N. Jansson		
Date	February 24, 2006	Reg. No.	26,185

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the			
Signature			
Typed or printed name	Chris Wipper	Date	February 24, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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AMENDMENT TRANSMITTAL LETTER (Small Entity)				Docket No. DB-101US											
Applicant(s): Brockman															
Application No. 10/760,445	Filing Date 01/20/04	Examiner M. Petravick	Customer No. 24314	Group Art Unit 3671	Confirmation No. 9240										
Invention: Strawberry-Harvesting Apparatus and Method															
 COMMISSIONER FOR PATENTS:															
Transmitted herewith is an amendment in the above-identified application.															
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27															
The fee has been calculated and is transmitted as shown below.															
CLAIMS AS AMENDED															
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE										
TOTAL CLAIMS	35 -	36 =	0	x \$25.00	\$0.00										
INDEP. CLAIMS	3 -	4 =	0	x \$100.00	\$0.00										
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00										
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00										
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. 10-0270 in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 10-0270 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.															
 _____ Peter N. Jansson, Reg. No. 26,185 Jansson, Shupe, Munger & Antaramian, Ltd. 245 Main Street Racine, WI 53403 262/632-6900			Dated: February 24, 2006												
CC:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on February 24, 2006</td> </tr> <tr> <td style="text-align: center;">(Date)</td> <td></td> </tr> <tr> <td colspan="2" style="text-align: center;">  Signature of Person Mailing Correspondence </td> </tr> <tr> <td colspan="2" style="text-align: center;">Chris Wipper</td> </tr> <tr> <td colspan="2" style="text-align: center;">Typed or Printed Name of Person Mailing Correspondence</td> </tr> </table>			I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on February 24, 2006		(Date)		 Signature of Person Mailing Correspondence		Chris Wipper		Typed or Printed Name of Person Mailing Correspondence	
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(Date)															
 Signature of Person Mailing Correspondence															
Chris Wipper															
Typed or Printed Name of Person Mailing Correspondence															



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

Danial William Brockman

Attorney Docket No. DB-101US

Serial No. 10/760,445

Group Art Unit: 3671

Filed: January 1, 2004

Examiner: Meredith C. Petravick

Title: CRANBERRY HARVESTING APPARATUS AND METHOD

* * * * *

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This is responsive to the non-final Office Action mailed January 25, 2006. The response is timely filed pursuant to 37 CFR § 1.7(a).

Claims 1-20 and 29-44 are pending in the application.

The Office Action of January 25, 2006 asserts that two invention groups are presented, as follows:

- Group I – claims 1-20, 29-33, and 38-44; and
- Group II – claims 34-37.

The undersigned notes the Examiner's indication that the restriction is between apparatus claims and method claims. However, applicant points out that claim 36 is an apparatus claim dependent on independent apparatus claim 29, and so applicant assumes the restriction requirement imposed is intended by the Examiner to be as follows:

February 24, 2006

- Group I – claims 1-20, 29-33, 36 and 38-44; and
- Group II – claims 34-35 and 37.

Applicant elects the Group I with traverse, and requests that the restriction requirement be lifted and examination of all claims continue as has been the case until now, for the reasons given below.

For the Examiner's convenience, a **Listing of Claims** begins on page 3.

Remarks begin on page 10.